

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**SANDRA POON**, individually and on behalf  
of all others similarly situated,

Case No. 17-cv-1456

*Plaintiff,*

*v.*

**VOW TO BE CHIC, INC.**, a Delaware  
corporation.

*Defendant.*

**NOTICE OF VOLUNTARY DISMISSAL**

Plaintiff Sandra Poon (“Plaintiff” or “Poon”) dismisses this lawsuit against and Defendant Vow to be Chic, Inc. (“Defendant” or “VTBC”) with prejudice as to Plaintiff’s individual claims and without prejudice as to the claims of any putative, unidentified class members.

Federal Rule of Civil Procedure 41(a)(1) provides, in relevant part:

(a) Voluntary Dismissal.

**(1) By the Plaintiff.**

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or

(ii) a stipulation of dismissal signed by all parties who have appeared.

(B) *Effect.* Unless the notice or stipulation states otherwise, the dismissal is without prejudice. But if the plaintiff previously dismissed any federal- or state-court action based on or including the same claim, a notice of dismissal operates

as an adjudication on the merits.

In this case, Defendant has neither answered Plaintiff's Complaint nor served a motion for summary judgment. In addition, no class has been certified in this matter so Rule 23's exceptions do not apply. Likewise, this case does not involve any Receiver so as to implicate Rule 66.

Accordingly, Plaintiff hereby dismisses these proceedings in accordance with Rule 41(a)(1)(i) with prejudice as to Plaintiff's individual claims and without prejudice as to the claims of any putative, unidentified class members.

Respectfully Submitted,

**SANDRA POON**, individually and on behalf of  
Classes of similarly situated individuals

Dated: December 12, 2017

By: /s/ Joshua Pond  
One of Plaintiff's Attorneys

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\*pro hac vice application to be filed

Attorney for Plaintiff and the Classes